

State of New York



**Metropolitan
Transportation
Authority**

347 Madison Avenue
New York, New York 10017
212 878-7000

Members of the Board

Robert R. Kiley
Chairman
Lawrence R. Bailey
Daniel T. Scannell
Vice Chairmen
Laura Blackburne
Stephen Berger
Stanley Brezenoff
Thomas Egan
Herbert J. Libert
John F. McAlevey
Ronay Menschel
Constantine Sidamon-Eristoff
Robert F. Wagner, Jr.
Robert T. Waldbauer
Alfred E. Werner

~~LOCAL & STATE~~

~~OUTSIDE SOURCE~~

November 7, 1985

b6
b7C

Judge William Webster
Director
Federal Bureau of Investigation
Penn. Ave. at 9th Street - N.W.
Washington, D.C. 20535

Dear Judge Webster:

On Saturday, November 2, 1985 I testified here in New York before the Subcommittee on Transportation of the Senate Appropriations Committee. Senator Alfonse D'Amato Chaired the hearing, which focused on the planning, design, construction and maintenance of the Metropolitan Transportation Authority's 63rd Street tunnel.

As you will recall, in 1983 the Bureau began an investigation into the alteration of a beam (referred to in construction documents as Girder C-4) in that tunnel. A few weeks after I took office as MTA Chairman I was contacted by the Bureau regarding that investigation. Over the months following, I and my staff cooperated fully in providing your agents with the documents and other information that they requested.

In May of 1985, city newspapers carried stories about the 1985 FBI investigation and referred to an FBI engineering report that raised a "serious problem" about the tunnel's safety. [redacted] one of our employees, contacted [redacted] in your New York office and requested a copy of the FBI report. He was told that the report was not available for release because it pertained to an ongoing investigation.

b6
b7C

2 MAY 14 1986

November 7, 1985

However, we did hire an MIT Professor, [redacted] to analyze the modified girder from a safety perspective. Subsequently, with the advice and consent of the Urban Mass Transportation Administration, we retained Construction Technology Laboratory (CTL) of Skokie, Illinois to do a thorough analysis of all aspects of the tunnel's construction, including modification's to Girder G-4. Both Professor [redacted] and CTL concluded that Girder G-4, as modified, was safe.

b6
b7C

You can imagine my surprise last Saturday when an FBI [redacted] appeared and testified that based on the FBI's analysis, Girder G-4 "may be unsafe." Both he and Senator D'Amato held up and quoted copies of the FBI report that we had requested, but been denied.

b6
b7C

It seems to me that the FBI has an obligation to formally notify a public agency if it has information that one of that agency's facilities is or may be unsafe. We would appreciate a copy of the report and of any other information that you may have in your possession that calls into question the safety of Girder G-4 or of any other part of the 63rd Street tunnel.

Sincerely,

R.R. Kiley
Robert R. Kiley
Chairman

C. J. [redacted]

R.R. Kiley

NY